

Sixth Appellate District

San Jose, California

MONDAY, FEBRUARY 6, 2006

(no minute approved orders)

TUESDAY, FEBRUARY 7, 2006

H028804 CAMPBELL v. CAMPBELL

The order of the superior court filed March 16, 2005 is affirmed. (published)

(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J., Duffy, J.)

Filed February 7, 2006

H028408 VANDEWEGHE, et al. v. MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

The judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Duffy, J.)

Filed February 7, 2006

WEDNESDAY, FEBRUARY 8, 2006

The following cases are submitted this date:

H028695 PEOPLE v. MCKENZIE

H028674 PEOPLE v. SHAZIER

H027955 PEOPLE v. HERNANDEZ

H028213 PEOPLE v. RUBIO

H027835 PEOPLE v. GREGORY SEAN ALLEN

The order of commitment is reversed, and the trial court is directed to dismiss the petition. (published)

(Mihara, J.; I concur: McAdams, J.; Concurring and dissenting opinion by Bamattre-Manoukian, Acting P.J.)

Filed February 8, 2006

H028008 WAKEFIELD v. BOHLIN, et al.

The judgment is affirmed. (not published)

(Elia, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed February 8, 2006

H028382 PEOPLE v. URIBE

The judgment is affirmed. (not published)

(Premo, J.; We concur: Rushing, P.J., Elia, J.)

Filed February 8, 2006

Sixth Appellate District

San Jose, California

WEDNESDAY, FEBRUARY 8, 2006 (continued)

H029470 ZARATE v. VU, et al.

Appellant's motion to set aside the dismissal for failure to procure the record on appeal is granted provided appellant files a properly executed notice designating reporter's transcripts on appeal within 10 days from the date of this order. Upon receipt and filing of the required documents, the trial court shall proceed with the preparation of the record on appeal in accordance with the pertinent provisions of the California Rules of Court.

The appeal is hereby restored to active status.
Filed February 8, 2006 RUSHING, P.J.

H028852 ROBSON v. HEWLETT PACKARD, CO., et al.

Appellant's motion to set aside dismissal and request for judicial notice is denied.

Filed February 8, 2006

THURSDAY, FEBRUARY 9, 2006

H028606 PEOPLE v. MARTINEZ

The judgment is reversed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed February 9, 2006

H028095 PEOPLE v. MERINO

The judgment is affirmed. (not published)
(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed February 9, 2006

H022141 MELCHER v. MELCHER

H022603 MELCHER v. MELCHER

H022935 MELCHER v. MELCHER

H023475 MELCHER v. MELCHER

By the Court*:

Appellant's petition for rehearing is denied.

Filed: February 9, 2006

*Before Bamattre-Manoukian, Acting P.J., Mihara, J. and McAdams, J.

Sixth Appellate District

San Jose, California

Thursday, February 9, 2006 (continued)

H028310 WAKEFIELD v. BOHLIN, et al.

As to the award of costs to Jeff Bohlin, the judgment is reversed and the case is remanded to the lower court for an award of costs including attorney fees to Ronald Wakefield. As to the award of costs including attorney fees to Charlotte Bohlin, the case is remanded to the lower court to apportion the award of costs and attorney fees to Charlotte Bohlin. The parties shall bear their own costs of appeal. (not published)

(Elia, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed February 9, 2006

H027293 PEOPLE v. FORDJOUR

The judgment is reversed and the matter is remanded with directions to hold a hearing on defendant's *Marsden* motion concerning Attorney Owens. If defendant makes a prima facie showing of ineffective assistance of counsel in connection with the matters entrusted to Ms. Owens, the court shall appoint new counsel to assist him for this purpose. If he fails to make the requisite showing, the court shall reinstate the judgment. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed February 9, 2006

H026620 COUNTY OF SANTA CLARA v. VASQUEZ

The appeal is dismissed. (not published)

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed February 9, 2006

H029011 PEOPLE v. MOORE

The judgment is affirmed. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)

Filed February 9, 2006

FRIDAY, FEBRUARY 10, 2006

H029191 WITT v. LANDIS

It appearing that the dismissal order in the above entitled appeal issued pursuant to California Rules of Court, rule 17(a), on February 9, 2006, was improvidently issued, said dismissal order is hereby set aside.

The appeal is ordered restored to active status.

Filed February 10, 2006

RUSHING, P.J.

Sixth Appellate District

San Jose, California

Friday, February 10, 2006 (continued)

H027474 PEOPLE v. CARRISALES

The judgment is affirmed. (not published)
(Elia, Acting P.J.; We concur: Bamattre-Manoukian, J., Duffy, J.)
Filed February 10, 2006

H028821 PEOPLE v. LE

The judgment is ordered modified to reflect that the sentence on count two, burglary in the second degree, is stayed pursuant to Penal Code section 654. The judgment is also modified to reduce the restitution fine from \$4,800 to \$2,200, and the parole revocation fine from \$4,800 to \$2,200. As so modified, the judgment is affirmed. The superior court is ordered to send a certified copy of the corrected abstract of judgment to the Department of Corrections. (published)
(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Duffy, J.)
Filed February 10, 2006